IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 15889 of 2005(N)

PETITIONER:

USHA RANI, D/O.INDIRA,
RANI BHAVAN, KALLADICHAVILA,
CHEMPAZHANTHI P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.SUMAN CHAKRAVARTHY.

RESPONDENTS:

1. **THE DISTRICT COLLECTOR,**
   COLLECTORATE, THIRUVANANTHAPURAM.
2. **THE GEOLOGIST, DEPARTMENT OF MINING**
   & GEOLOGY, KESAVADASAPURAM, THIRUVANANTHAPURAM.
3. **THAHASILDAR,**
   TALUK OFFICE, THIRUVANANTHAPURAM.
4. **DEPUTY SUPERINTENDENT OF POLICE,**
   ATTINGAL.
5. **THE KZHAKOOTTAM GRAMA PANCHAYAT,**
   REP. BY ITS SECRETARY.
6. **MOHAMMED HANEEFA, NIZAR MANZIL,**
   THADATHARIKATHU VEEDU, MADHAVAPURAM,
   CHEMPAZHATHI P.O., THIRUVANANTHAPURAM.

W.P.(C). NO.15889/2005:

7. M.FAZILUDIN, S/O.MOHAMMED HANEEFA,
NIZAR MANZIL, THADATHARIKATHU VEEDU,
CHEMPAZHANTHII P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.R.T.PRADEEP,
SRI.V.VIJULAL,
SRI.M.RAJAGOPALAN NAIR,
SRI.G.BIJU,
GOVERNMENT PLEADER SRI.BASANT BALAJI.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.15889/2005:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE ORDER IN O.S. NO. 92/2005 DTD. 20/01/2005.

EXT.P.2: COPY OF THE COMPLAINT DTD. 25/01/2005.

EXT.P.3: COPY OF THE COMPLAINT SUBMITTED BY THE PETITIONER BEORE THE SUB INSPECTOR OF POLICE,MANGALAPURAM ON 27/01/2005.

EXT.P.4: COPY OF THE COMPLAINT BEFORE THE R.1. ON 11/02/2005 ALONG WITH ACKNOWLDGEMENT CARD.

EXT.P.5: COPY OF THE ORDER DTD. 28/11/2000.

EXT.P.6: COPY OF THE NEWSPAPER REPORTED APPEARED IN MATHRUBHOOMI DAILY DTD. 18/11/2002.

RESPONDENT'S EXHIBITS & ANNEXURE:

EXT.R8.A: COPY OF THE QUARRYING PERMIT DTD. 06/04/2005 IN FAVOUR OF R.7.

EXT.R8.B: COPY OF THE CONSENT DEED DTD. 13/02/2006.

ANNEXURE R1.A: COPY OF THE PROCEEDINGS DTD. 27/12/2005 ISSUED BY THE R.1.

//TRUE COPY//

prv.

S. SIRI JAGAN, J.

WP(C) NO. 15889 OF 2005 - N

Dated this the 11th day of July, 2007

J U D G M E N T

The petitioner has approached this Court with this writ petition alleging that respondents 6 and 7 are conducting quarrying operations without permit/licence. The learned counsel appearing for respondents 6 and 7 submit that they had earlier a permit which has expired and therefore, they have no intention to conduct quarrying in the land in question. In view of this undertaking, nothing need be done in this writ petition except to record the said submission. Accordingly, the said submission is recorded.

2. The first respondent has filed a statement along with which they have produced Ext.R1(a) wherein the first respondent has stated that quarrying operation in Sy.No.238/5, Block No.12 of Ayiroopara Village has been ordered to be stopped with immediate effect. In the above circumstances, I further direct respondents 1 to 5 to see that Annexure R1(a) is strictly complied with and

respondents 6 and 7 do not conduct any quarrying operations without all valid permits/licences.

The writ petition is disposed of as above.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007